

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARD ASTOURIAN,

Plaintiff,

Case No. 08-10059

v.

Honorable Patrick J. Duggan

JORGENSEN FORD SALES, INC.,

Defendant.

OPINION AND ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on July 8, 2008.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

Edward Astourian ("Plaintiff") initiated this federal and state law age discrimination action against Jorgensen Ford Sales, Inc. ("Defendant") on January 4, 2008. On June 16, 2008, this Court issued an Opinion and Order dismissing Plaintiff's complaint based on an arbitration agreement signed by Plaintiff. The Court issued a Judgment that same day. On June 26, 2008, Plaintiff filed his "Motion For Reconsideration to Modify the Court's Order of Dismissal to Include Compelling the Parties to Arbitrate." The Court issued a notice on July 1, 2008, informing the parties that it will permit Defendant to submit a response to Plaintiff's motion. Defendant submitted its response on July 3, 2008.

Plaintiff, without citing any applicable authority or rule, asserts that he filed his motion “to protect [his] rights as it relates to the Arbitration Agreement.” (Pl.’s Mot. ¶ 1.) Although Plaintiff submitted what he refers to as a “Demand for Arbitration with the American Arbitration Association” on June 26, 2008, (*see* Pl.’s Mot. Ex. A), Plaintiff requests that the Court modify its order to state that Plaintiff and Defendant are compelled to arbitrate this dispute. (*See id.* ¶ 5.) In its response, “Defendant affirmatively admits that it intends to be bound by the terms of the Arbitration Agreement signed by Plaintiff.” (Def.’s Resp. ¶ 4.)

Based on Defendant’s response, in which it “affirmatively admits” that it is bound by the terms of the arbitration agreement which led to this Court’s dismissal of this case, and because this Court believes that its Opinion and Order and Judgment dismissing this case need not be reconsidered or modified, the Court will deny Plaintiff’s motion.

Accordingly,

IT IS ORDERED that Plaintiff’s “Motion For Reconsideration to Modify the Court’s Order of Dismissal to Include Compelling the Parties to Arbitrate” is **DENIED**.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:
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